

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
LAFAYETTE DIVISION**

In re INOTIV, INC. SECURITIES  
LITIGATION

Case No. 4:22-cv-00045-PPS-JEM

**JOINT MOTION TO SET DEADLINES IN CONNECTION WITH DEFENDANTS'  
RESPONSE TO THE FIRST AMENDED COMPLAINT**

Court-Appointed Lead Plaintiff Oklahoma Police Pension and Retirement System (“Oklahoma Police” or “Lead Plaintiff”) and Inotiv, Inc., Robert W. Leasure, Beth A. Taylor, John E. Sagartz, DVM, Ph.D., DACVP, and Carmen Wilbourn (collectively, “Defendants”), by and through their respective counsel, jointly move the Court for an order (1) setting a deadline of January 27, 2023 for Defendants to answer, move, or otherwise respond to the First Amended Complaint (described herein); (2) setting a deadline of March 28, 2023 for Lead Plaintiff to file an opposition to Defendants’ motion to dismiss; and (3) setting a deadline of April 28, 2023 for Defendants’ reply, if any. In support, the parties state:

1. On June 23, 2022, Sergio Grobler (“Grobler”) filed a putative class action complaint for violation of the federal securities laws in the above-captioned action (“Action”) (ECF No. 1).

2. On July 29, 2022, the Court issued an order staying proceedings in this Action pending the Court’s appointment of a Lead Plaintiff and approval of Lead Counsel and directing the parties to file a status report on further proceedings in this Action or before September 27, 2022 (ECF No. 6, the “Stay Order”).

3. On August 22, 2022, Oklahoma Police filed a Motion for Appointment as Lead Plaintiff and Approval of its Selection of Counsel (ECF Nos. 20-21, the “Lead Plaintiff Motion”).

4. On September 13, 2022, the Court granted the Lead Plaintiff Motion. (ECF No. 37.)

5. On September 8, 2022, Grobler filed a notice of dismissal of his individual claims in the Action without prejudice, noting that class claims would “continue to be pursued by the lead plaintiff appointed pursuant to the PSLRA.” (ECF No. 36.)

6. In compliance with the Stay Order (ECF No. 6), the parties, through their respective counsel, met and conferred regarding a schedule for Lead Plaintiff to file an Amended Complaint and Defendants’ filing of a response thereto and, on September 16, 2022, the Parties filed a Joint Motion to (1) Amend Caption; (2) Set Deadline for Lead Plaintiff to File an Amended Complaint; and (3) Set Deadlines in Connection With Defendants’ Response to the Amended Complaint (the “Joint Motion,” ECF No. 40) requesting, *inter alia*, that the Court set a deadline of November 14, 2022 for Lead Plaintiff to file its Amended Complaint.

7. On October 3, 2022, the Court granted the Joint Motion. (the “October 3 Order,” ECF No. 49.)

8. On November 14, 2022, in accordance with the October 3 Order, Lead Plaintiff filed an Amended Complaint. (the “November 14 Complaint,” ECF No. 52.)

9. Between November 17 and 22, 2022, the parties, through their respective counsel, met and conferred regarding Lead Plaintiff’s intent to file a First Amended Complaint to address developments since the filing of the November 14 Complaint and a modest extension of the deadlines in connection with Defendants’ response to Lead Plaintiff’s operative complaint.

10. On November 22, 2022, counsel for Defendants confirmed that Defendants consent to Lead Plaintiff's filing of a First Amended Complaint pursuant to Fed. R. Civ. P. 15(a).

11. In light of Lead Plaintiff's filing of a First Amended Complaint on or about November 23, 2022, the Parties agree to a modest extension of the current briefing schedule.

12. Therefore, the parties hereby jointly move the Court for an order that:

A. Defendants shall answer, move, or otherwise respond to the First Amended Complaint no later than January 27, 2023.

B. If Defendants move to dismiss the First Amended Complaint, the deadline for Lead Plaintiff to file its opposition to any motion to dismiss is no later than March 28, 2023.

C. Defendants shall file any reply in support of a motion to dismiss no later than April 28, 2023.

WHEREFORE, Lead Plaintiff and Defendants respectfully request that the Court enter an Order setting forth the schedule proposed herein, and for all other appropriate relief.

DATED: November 23, 2022

**BERMAN TABACCO**

/s/ Steven J. Buttacavoli

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*Local Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I certify that on this 23rd day of November, 2022, a true and correct copy of the foregoing document was served on all counsel of record through the Court's CM/ECF system.

Dated: November 23, 2022

/s/ Steven J. Buttacavoli  
Steven J. Buttacavoli